

Overview of Key Provisions of Current Law vs. SF 340

	Current Law	SF 340/HF 711
Offenses requiring registration	<ul style="list-style-type: none"> • Criminal offense against a minor* • Aggravated offense* • Sexual exploitation* • Other relevant offense* • Sexually violent offense* • Offense comparable to any of the above in another state, or in a federal, military, tribal, or foreign court • A person required to register in another state under the state's sex offender registry <p><i>[* As defined in Ch. 692A]</i></p>	<ul style="list-style-type: none"> • All offenses specified as Tier I, II, or III offenses, which includes offenses requiring registration under current law, <u>plus</u> certain other sexually motivated offenses such as “invasion of privacy – nudity” and “human trafficking – commercial sexual activity” if the victim is an adult (<i>current law includes these offenses only if the victim is a minor</i>)
Registration Duration	<ul style="list-style-type: none"> • 10 years for all offenses, except “aggravated offenses” <u>committed in Iowa</u> • Lifetime for “aggravated offenses” <u>committed in Iowa</u> 	<ul style="list-style-type: none"> • 10 years for all offenses, except “aggravated offenses” • Lifetime for “aggravated offenses” <u>regardless of where the offense occurred</u> <ul style="list-style-type: none"> ○ Addition to “aggravated offenses” – Any offender 16 or over who causes a child to fondle the offender’s genitals (<i>current definition includes, among other offenses, an offender 16 or over who fondles a child’s genitals</i>)
Verification	<p>Annual – except for sexually violent predators*</p> <p>Every three months for sexually violent predators*</p> <p><i>*Most “sexually violent predators” have been civilly committed so this provision has limited application.</i></p>	<p>Annual – Tier I Offenses</p> <p>Every 6 Months – Tier II Offenses</p> <p>Every 3 Months – Tier III Offenses</p> <ul style="list-style-type: none"> • <i>Tier I</i> – sex offenses not included in Tiers II or III • <i>Tier II</i> – generally, sex offenses punishable by more than one year incarceration, not involving force, threat of violence, or incapacitation of victim • <i>Tier III</i> – generally, sex offenses punishable by more than one year incarceration, involving force, threat of violence, or incapacitation of victim
Residency Restriction	<ul style="list-style-type: none"> • Applies to any offender whose victim was a minor. • A supervising officer (PO) may impose restrictions on residency on a case-by-case basis as necessary. 	<ul style="list-style-type: none"> • Applies to any offender <u>who is required to be registered</u> whose victim was a minor and who was convicted in an Iowa court of any of the following: <ul style="list-style-type: none"> • Sex abuse 1st • Sex abuse 2nd • Sex abuse 3rd (<i>except “status offenses” involving consensual sex act between offender and person under 16, if age difference between the two is four or more years (e.g. 18 and 14, 19 and 15, etc...)</i>) • A supervising officer (PO) may impose restrictions on residency on a case-by-case basis as necessary.
Exclusionary Zones	None, unless imposed by a supervising officer (PO)	<p>Applies to any offender <u>who is required to be registered</u> whose victim was a minor – prohibition applies to:</p> <ul style="list-style-type: none"> • Presence at schools w/o permission • Presence on school bus w/o permission when bus in use to transport children • Presence at child care centers w/o permission • Presence at public library w/o permission • Loitering within 300 ft of schools

		<ul style="list-style-type: none"> • Loitering within 300 ft of child care centers • Loitering within 300 ft of library • Loitering at place intended primarily for children including playground, recreational area, swimming pool, beach, when minors are present <p>A supervising officer (PO) may impose restrictions on presence/loitering on a case-by-case basis as necessary.</p>
Prohibited Employment	None, unless imposed by a supervising officer (PO)	<p>Applies to any offender <u>who is required to be registered</u> whose victim was a minor – employment prohibited at:</p> <ul style="list-style-type: none"> • School, child care facility, library • City, county, state fair or carnival when minors are present • Children’s arcade, amusement center, or similar when minors are present • Playgrounds, minor’s recreation or sport activity areas, public pools, beaches. <p>Applies to any offender <u>who is required to be registered</u> – employment prohibited at:</p> <ul style="list-style-type: none"> • Facility providing services for dependent adults • Events where dependent adults participate in programming <ul style="list-style-type: none"> ○ (In addition to employment prohibition, loitering at such facilities/events also prohibited) <p>A supervising officer (PO) may impose restrictions on employment on a case-by-case basis as necessary.</p>
Modification of requirement to register	<ul style="list-style-type: none"> • A conviction set aside or reversed does not require registration. • No provision for modification. 	<ul style="list-style-type: none"> • A conviction set aside or reversed does not require registration. • New “modification” established. In order to qualify to be granted a modification, a sex offender must: <ul style="list-style-type: none"> • Not be incarcerated; and • Be under supervision (except a person who offended as a juvenile but who is no longer under supervision); and • Have been registered for two years (in the case of a Tier I offense) or five years (in the case of a Tier II or III offense); and • Have successfully completed all required treatment; and • Have been determined to be a low risk to re-offend according to a DOC approved risk assessment; and • Have the CBCs’ “stipulation” (support of) the request (except a person who offended as a juvenile and is not under supervision).
Extended jurisdiction of juvenile offenders	<ul style="list-style-type: none"> • Dispositional orders entered before the juvenile attains age of 17 terminate at age 18. • Dispositional orders entered after the juvenile attains age 17 terminate 18 months after the date of disposition. 	<ul style="list-style-type: none"> • Dispositional orders entered before the juvenile attains the age of 17 <u>for an offense requiring registration</u> may be extended 18 months after the juvenile attains age 18. • Dispositional orders entered after the juvenile attains age 17 terminate 18 months after the date of disposition.